

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-5
AGENDA DATE: Thu 12/15/2005
PAGE: 1 of 1**

SUBJECT: C14-05-0181 Verde Stone Creek - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 700 Block of West Slaughter Lane (Slaughter Creek Watershed) from development reserve (DR) district zoning to multi-family residence-low density (MF-2) district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning. Applicant: Cabot-Chase, Ltd. (Jimmy Nassour). Agent: Drenner Stuart Wolff Metcalfe von Kreisler, L.L.P. (Michele Hausmann). City Staff: Wendy Walsh, 974-7719.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0181

Z.P.C. DATE: November 15, 2005

ADDRESS: 700 Block of West Slaughter Lane

OWNER: Cabot-Chase, Ltd. (Jimmy Nassour)

AGENT: Drenner Stuart Wolff
Metcalf von Kreisler, L.L.P.
(Michele Haussmann)

ZONING FROM: DR

TO: MF-2

AREA: 14.820 acres

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant multi-family residence low density – conditional overlay (MF-2-CO) combining district zoning. The Conditional Overlay limits the number of daily trips to 2,000.

ZONING & PLATTING COMMISSION RECOMMENDATION:

November 15, 2005: *APPROVED STAFF'S RECOMMENDATION FOR MF-2-CO DISTRICT ZONING; BY CONSENT.*

[K. JACKSON; M. HAWTHORNE – 2ND] (7-0) J. MARTINEZ, J. GOHIL – ABSENT

ISSUES:

The applicant is working with the adjacent property owner to the east on the compatibility of the proposed project to his property along the east property line. The discussions include items such as preserving existing vegetation, minimizing parking spaces facing the eastern property line and architectural design.

DEPARTMENT COMMENTS:

The subject property consists of one single family residence and outbuildings on two tracts and is zoned development reserve (DR). Access is taken to West Slaughter Lane. There are multifamily uses and zoning adjacent to the west (MF-2-CO), undeveloped land to the east as well as retail development located at the Slaughter / South First intersection (DR; GR-CO), and park and recreational use to the south (P). Across Slaughter Lane to the north, there is a mix of undeveloped land, single family residences and duplexes. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The applicant is proposing to rezone the property to the multi-family residence low density (MF-2) district so that it may be developed with multi-family residential uses. In the context of the surrounding land uses and roadway, MF-2-CO zoning is appropriate. The property has access to Slaughter Lane, an improved 6-lane arterial roadway and MF-2-CO zoning is adjacent on the west. There are also two other properties zoned for multi-family zoning in

the proximity to the subject property, located on South First Street (MF-3-CO) and further east on Slaughter Lane (MF-2-CO). Furthermore, MF-2 zoning would be compatible with the 350-acre Mary Moore Searight Metropolitan Park to the south, and would be in proximity to the commercial development located to the east, on Slaughter Lane. Staff has proposed a Conditional Overlay to limit the property to uses that generate less than 2,000 vehicle trips per day.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|-----------------|---|
| <i>Site</i> | DR | Single family residence and outbuildings |
| <i>North</i> | DR; SF-4A; SF-3 | Undeveloped; Single family residences; Duplexes; Pond |
| <i>South</i> | P | Mary Moore Searight Metropolitan Park |
| <i>East</i> | DR; GR-CO | Undeveloped; Single family residence; Retail |
| <i>West</i> | MF-2-CO | Apartments; Mary Moore Searight Metropolitan Park |

AREA STUDY: N / A

TIA: Is not required

WATERSHED: Slaughter Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

- 26 – Far South Austin Community Association
- 242 – Slaughter Lane Neighborhood Association
- 262 – Beaconridge Neighborhood Association
- 300 – Terrell Lane Interceptor Association
- 428 – Barton Springs / Edwards Aquifer Conservation District
- 511 – Austin Neighborhoods Council
- 627 – Onion Creek Homeowners Association
- 742 – Austin Independent School District
- 948 – South by Southeast Neighborhood Organization

SCHOOLS:

Williams Elementary School Paredes Middle School

Charles Akins High School

CASE HISTORIES:

| NUMBER | REQUEST | PLANNING COMMISSION | CITY COUNCIL |
|---------------|----------------------|-------------------------------------|--|
| C14-89-0016 | DR to GR-CO; MF-3-CO | To Grant GR-CO and MF-3-CO w/conds. | Approved GR-CO and MF-3-CO w/conds. (9/7/89) |
| C14-94-0102 | DR to MF-2 | To Grant MF-2-CO | Approved MF-2-CO |

| | | | |
|-------------|------------------|--|---|
| | | w/conds. | w/conds. |
| C14-97-0027 | GR-CO to CS | To Grant CS-CO w/conds. | Approved CS-CO w/conds. (6/5/97) |
| C14-99-2127 | DR to MF-2-CO | To Grant MF-1-CO w/conds. | Approved MF-2-CO on First Reading (9/7/00) |
| C14-01-0014 | DR; I-RR to MF-2 | To Grant MF-2-CO w/conds. | Approved MF-2-CO w/conds. (4/19/01) |
| C14-02-0106 | DR to MF-2 | To Grant MF-2-CO with CO for 2,000 trips; MF-1 density; restriction of development within 25 feet of the drainage or waterway; 25' vegetative buffer on the east side. | Approved MF-2-CO with CO for 2,000 trips and MF-1 density (8-1-02). |

RELATED CASES:

There are no related subdivision or site plan cases on the subject property.

ABUTTING STREETS:

| NAME | ROW | PAVEMENT | CLASSIFICATION | CAPITAL METRO | BICYCLE PLAN | SIDEWALKS |
|---------------------|----------|----------|----------------|---------------|--------------|-----------|
| West Slaughter Lane | 120 feet | Varies | Major Arterial | No | Yes | Yes |

CITY COUNCIL DATE: December 15, 2005

ACTION:

ORDINANCE READINGS: 1st

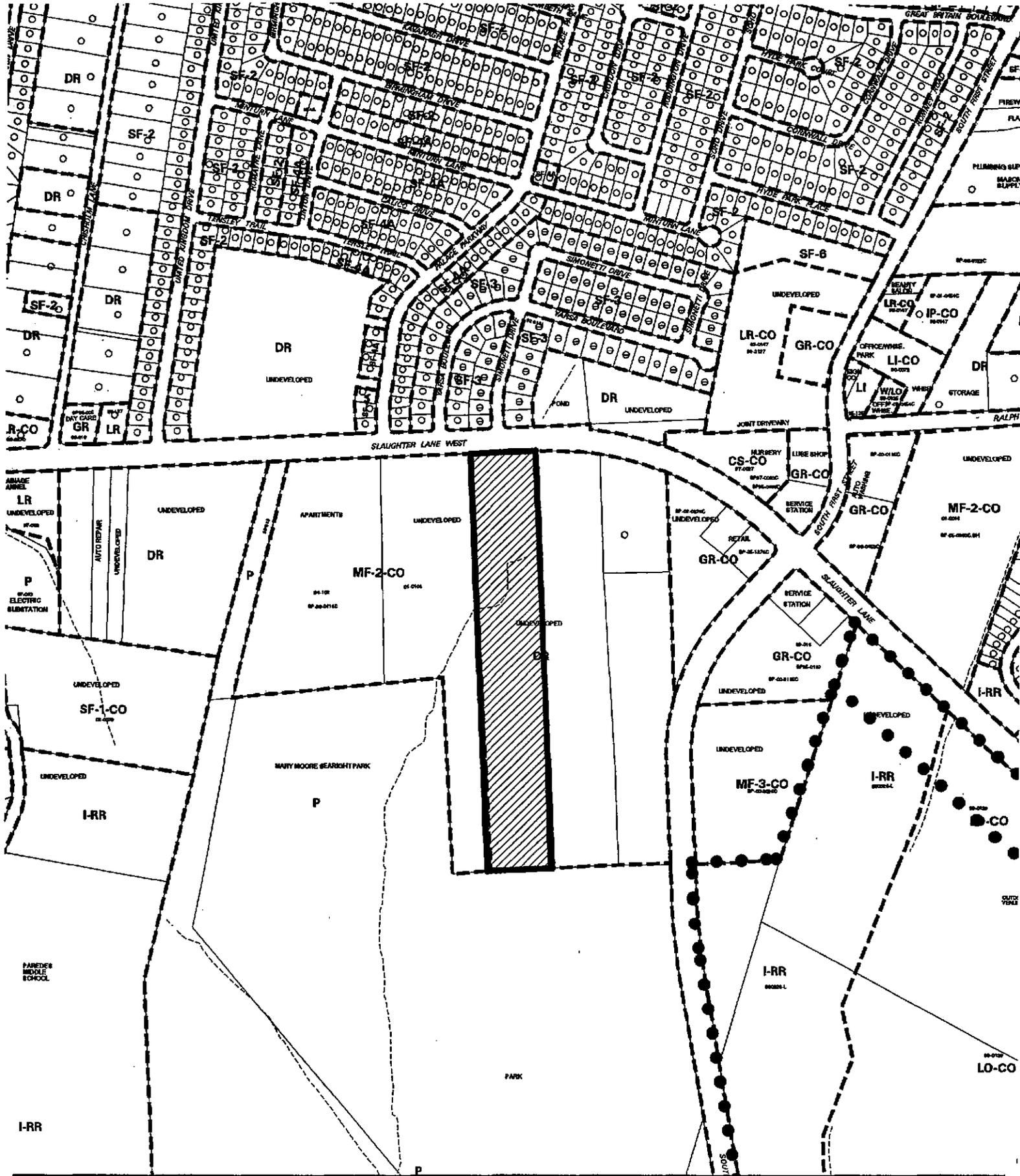
2nd

3rd

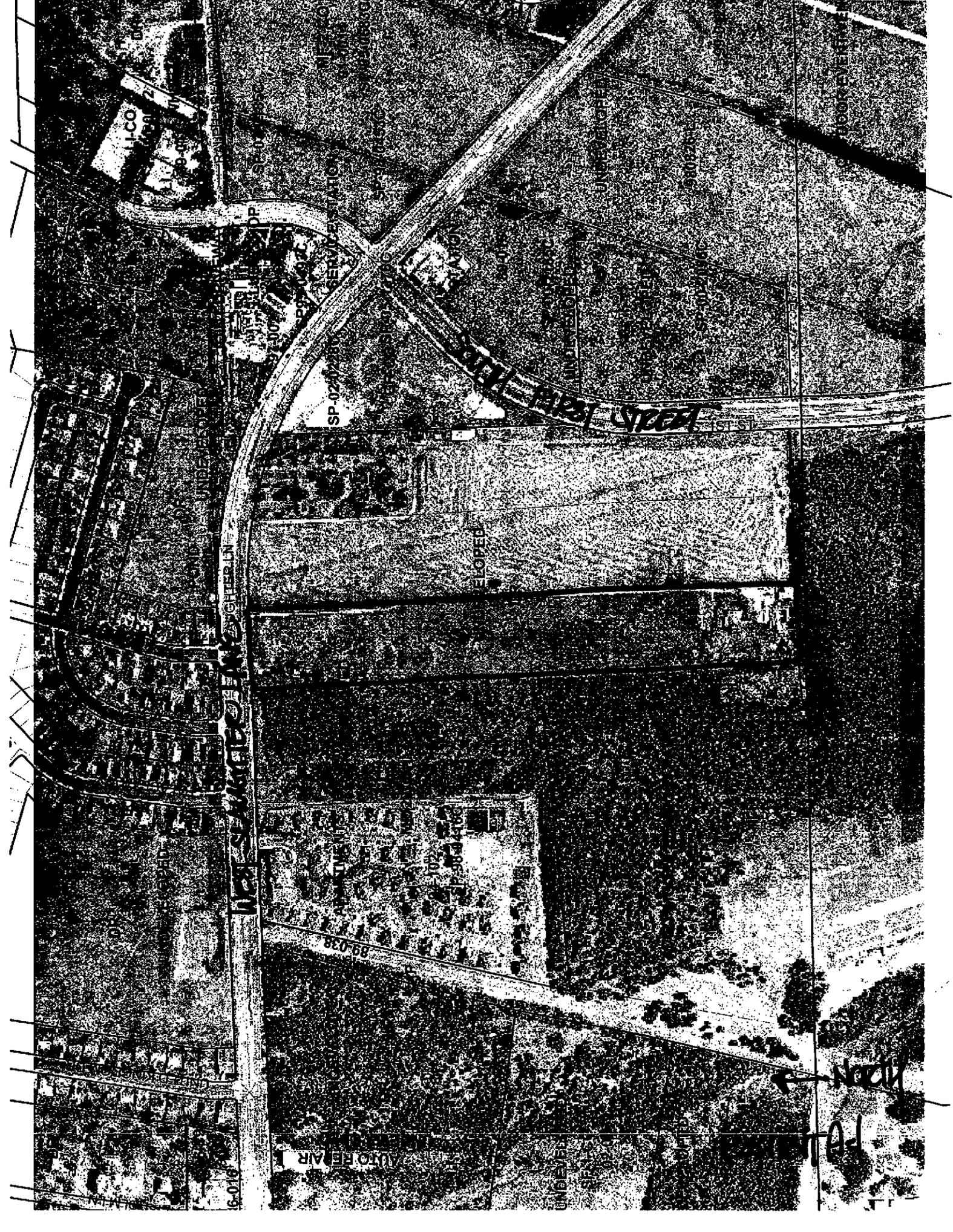
ORDINANCE NUMBER:

CASE MANAGER: Wendy Walsh
e-mail: wendy.walsh@ci.austin.tx.us

PHONE: 974-7719



| | | | | |
|---|--|---|--|--|
|  1" = 600' | SUBJECT TRACT  | ZONING Exhibit A DATE: 05-10 INTLS: SM | CITY GRID REFERENCE NUMBER F14 | |
| | PENDING CASE  | | | CASE #: C14-05-0181 |
| | ZONING BOUNDARY  | | | ADDRESS: 700 BLOCK OF W |
| | CASE MGR: W. WALSH | | | SLAUGHTER LN SUBJECT AREA (acres): 14.820 |



SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant multi-family residence low density – conditional overlay (MF-2-CO) combining district zoning. The Conditional Overlay limits the number of daily trips to 2,000.

BACKGROUND

The subject property consists of one single family residence and outbuildings on two tracts and is zoned development reserve (DR). Access is taken to West Slaughter Lane. There are multifamily uses and zoning adjacent to the west (MF-2-CO), undeveloped land to the east as well as retail development located at the Slaughter / South First intersection (DR; GR-CO), and park and recreational use to the south (P). Across Slaughter Lane to the north, there is a mix of undeveloped land, single family residences and duplexes.

The applicant is proposing to rezone the property to the multi-family residence low density (MF-2) district so that it may be developed with multi-family residential uses. In the context of the surrounding land uses and roadway, MF-2-CO zoning is appropriate. The property has access to Slaughter Lane, an improved 6-lane arterial roadway and MF-2-CO zoning is adjacent on the west. There are also two other properties zoned for multi-family zoning in the proximity to the subject property, located on South First Street (MF-3-CO) and further east on Slaughter Lane (MF-2-CO). Furthermore, MF-2 zoning would be compatible with the 350-acre Mary Moore Searight Metropolitan Park to the south, and would be in proximity to the commercial development located to the east, on Slaughter Lane. Staff has proposed a Conditional Overlay to limit the property to uses that generate less than 2,000 vehicle trips per day.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. The proposed zoning should be consistent with the purpose statement of the district sought.

The multi-family residence low density (MF-2) district is intended to accommodate multifamily use with a maximum density of up to 23 units per acre, depending on unit size. This district is appropriate given its location near supporting transportation and commercial facilities.

The property is located on West Slaughter Lane, an arterial roadway and is in proximity to commercial development located to the east, on Slaughter Lane.

2. Zoning changes should promote an orderly and compatible relationship among land uses.

In the context of the surrounding land uses and roadway, MF-2-CO zoning is appropriate. The property has access to Slaughter Lane, an improved 6-lane arterial roadway and MF-2-CO zoning is adjacent on the west. There are also two other properties zoned for multi-

family zoning in the proximity to the subject property, located on South First Street (MF-3-CO) and further east on Slaughter Lane (MF-2-CO). Furthermore, MF-2 zoning would be compatible with the 350-acre Mary Moore Searight Metropolitan Park to the south, and would be in proximity to the commercial development located to the east, on Slaughter Lane. Staff has proposed a Conditional Overlay to limit the property to uses that generate less than 2,000 vehicle trips per day.

EXISTING CONDITIONS

Site Characteristics

The site is developed with a single family residence and outbuildings. There appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the MF-2 zoning district would be 60%, which is a consistent figure between the zoning and watershed regulations.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

| <i>Development Classification</i> | <i>% of Net Site Area</i> | <i>% with Transfers</i> |
|--|---------------------------|-------------------------|
| Single-Family (minimum lot size 5750 sq. ft.) | 50% | 60% |
| Other Single-Family or Duplex | 55% | 60% |
| Multifamily | 60% | 70% |
| Commercial | 80% | 90% |

In the Water Quality Transition Zones, impervious cover is limited to 30%.

According to flood plain maps, there is no flood plain in, or within close proximity of, the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals which preempt current water quality or Code requirements.

Transportation

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 2,665 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, and system upgrades to serve the site, each lot and land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.

Compatibility Standards

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

The site is subject to compatibility standards. Along the north property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.

- No parking or driveways are allowed within 25 feet of the property line.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Along the east property line (adjacent to the DR zoned property), a compatibility setback would not apply, however, compatibility standards regarding screening, lighting and dumpster placement would be triggered.

Additional design regulations will be enforced at the time a site plan is submitted.

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT THE 700 BLOCK OF WEST SLAUGHTER LANE
3 FROM DEVELOPMENT RESERVE (DR) DISTRICT TO MULTIFAMILY
4 RESIDENCE LOW DENSITY-CONDITIONAL OVERLAY (MF-2-CO)
5 COMBINING DISTRICT.
6

7 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**
8

9 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
10 change the base district from development reserve (DR) district to multifamily residence
11 low density-conditional overlay (MF-2-CO) combining district on the property described
12 in Zoning Case No. C14-05-0181, on file at the Neighborhood Planning and Zoning
13 Department, as follows:
14

15 A 14.82 acre tract of land, more or less, out of the S.F. Slaughter League Survey
16 No. 1, in Travis County, the tract of land being more particularly described by
17 metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),
18

19 locally known as the property located at the 700 Block of West Slaughter Lane, in the City
20 of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit
21 "B".
22

23 **PART 2.** The Property within the boundaries of the conditional overlay combining district
24 established by this ordinance is subject to the following conditions:
25

26 A site plan or building permit for the Property may not be approved, released, or
27 issued, if the completed development or uses of the Property, considered cumulatively with
28 all existing or previously authorized development and uses, generate traffic that exceeds
29 2,000 trips per day.
30

31 Except as specifically restricted under this ordinance, the Property may be developed and
32 used in accordance with the regulations established for the multifamily residence low
33 density (MF-2) base district and other applicable requirements of the City Code.
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PART 3. This ordinance takes effect on _____, 2005.

PASSED AND APPROVED

_____, 2005

§
§
§

Will Wynn
Mayor

APPROVED:

David Allan Smith
City Attorney

ATTEST:

Shirley A. Brown
City Clerk

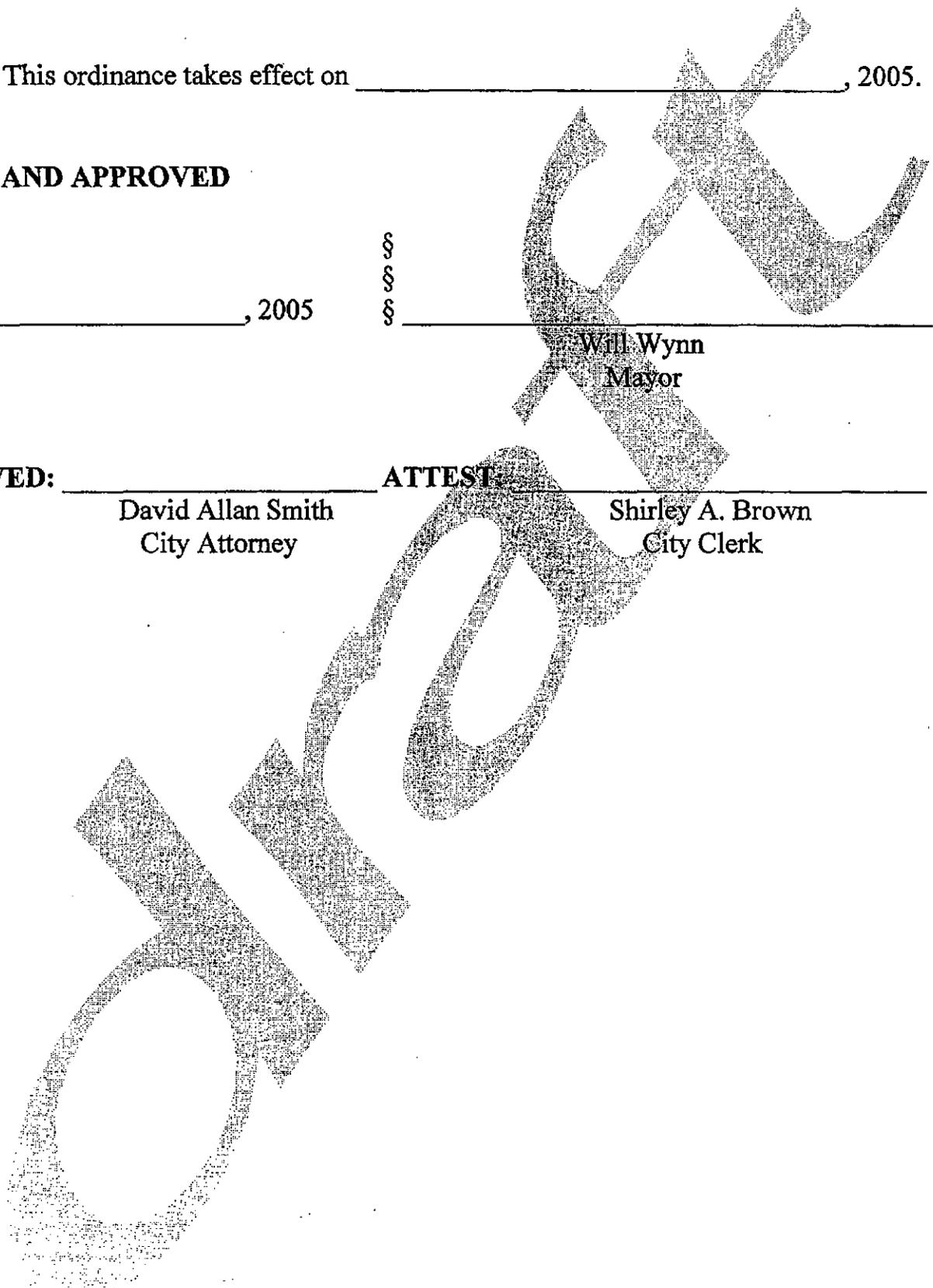


EXHIBIT A
DESCRIPTION

DESCRIBING 14.82 ACRES OF LAND SITUATED IN THE S. F. SLAUGHTER LEAGUE SURVEY NO. 1, TRAVIS COUNTY, TEXAS, SAME BEING 12.258 ACRES OF LAND AND 2.55 ACRES OF LAND AS DESCRIBED IN A GENERAL WARRANTY DEED TO CABOT-CHASE, LTD., AS RECORDED IN DOCUMENT NUMBER 2005142451 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 14.82 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found at the Northeast corner of said 12.258 acre tract, same being the Northeast corner of the herein described tract;

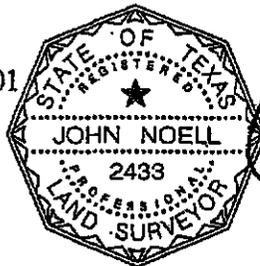
THENCE, S 02° 22' 21" E along the common line of said 12.258 acre tract, 2.55 acre tract and a 14.769 acre tract described in Volume 4022, Page 1701 of the Deed Records of Travis County, Texas, a distance of 2045.35 feet to an iron pipe found;

THENCE, S 87° 35' 52" W along the south line of said 2.55 acre tract, a distance of 315.40 feet to an iron pipe found;

THENCE, N 02° 23' 23" W a distance of 2044.83 feet to an iron rod found, same being the northwest corner of said 12.258 acre tract;

THENCE, N 87° 30' 08" E along the common line of said 12.258 acre tract and Slaughter Lane (120' Right-Of-Way), a distance of 316.02 feet to the POINT OF BEGINNING and containing 14.82 acres of land.

Field Notes Prepared by
URBAN DESIGN GROUP
3660 Stoneridge Road, # E101
Austin, Texas 78746
(512) 347-0040



John Noell

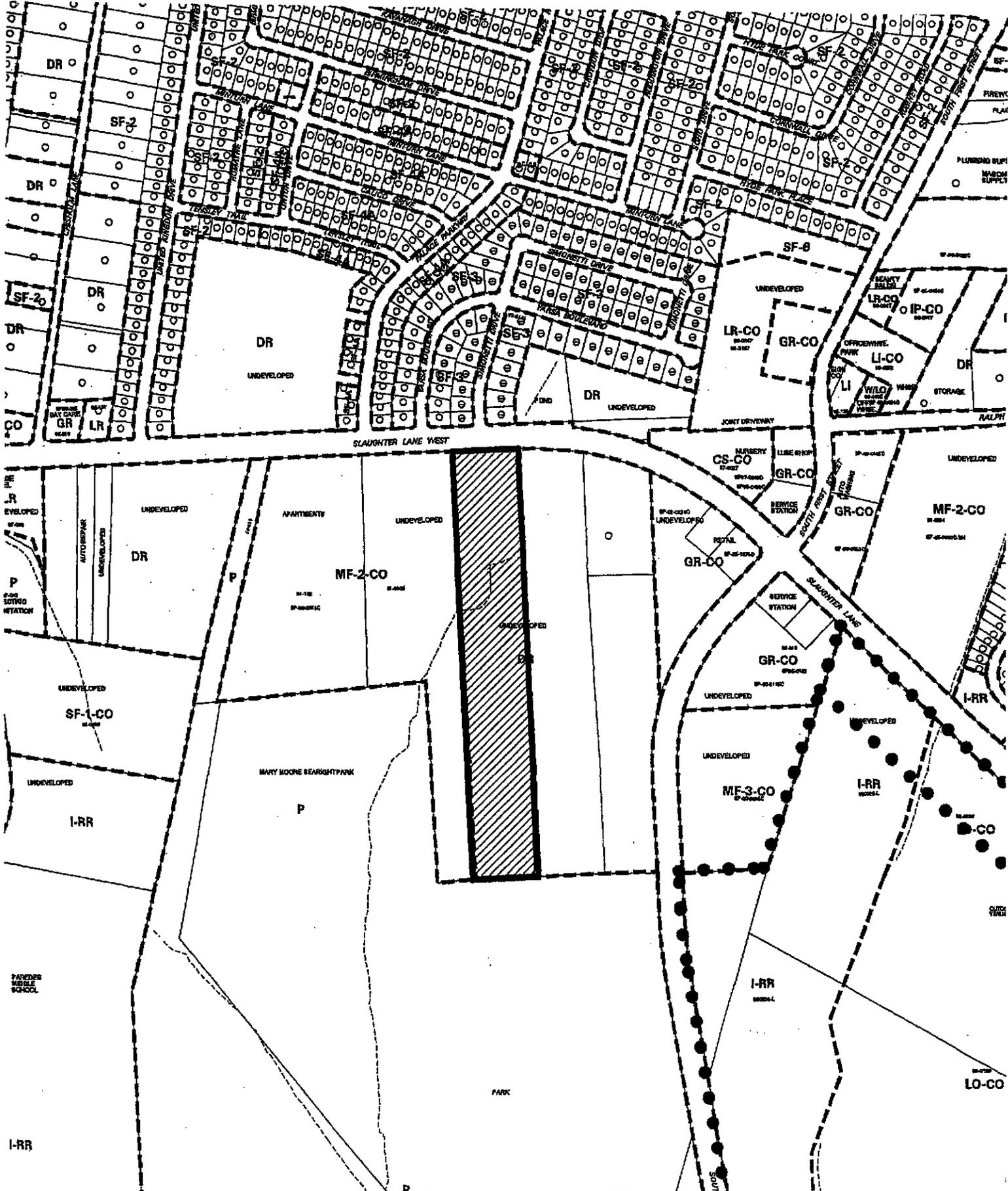
John Noell, R.P.L.S. #2433

Date: 8-04-05

REVISED 9-13-05

Sketch or map attached.

Bearing Basis: Texas State Plane Coordinate System
Zone: Texas Central NAD 83



| | | | | |
|---|--|---|---|-------------|
|  1" = 600' | SUBJECT TRACT  | ZONING EXHIBIT B CASE #: C14-05-0181 ADDRESS: 700 BLOCK OF W SLAUGHTER LN SUBJECT AREA (acres): 14.820 | CITY GRID REFERENCE NUMBER F14 | |
| | PENDING CASE  | | | DATE: 05-10 |
| | ZONING BOUNDARY  | | | INTLS: SM |
| | CASE MGR: W. WALSH | | | |